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No. 3991

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 74/LGN 75

Bangalore, dated 3rd November, 1975

Ordered that the Mythic Society (Dissolution and Management) Ordinance, 1975 promulgated by the Governor in the twenty-sixth year of the Republic of India be published as Karnataka Ordinance No. 18 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ORDINANCE No. 18 OF 1975**The Mythic Society (Dissolution and Management)
Ordinance, 1975.**

(Promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India and First published in the Karnataka Gazette on the Third day of November, 1975.)

An Ordinance to dissolve the Mythic Society and to provide for its management.

WHEREAS the Mythic Society is a society registered under the Societies Registration Act with the objects to promote the study and to stimulate research in Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy, Religion and other allied subjects in the State of Karnataka ;

WHEREAS there are rare and valuable manuscript and volumes relating to the aforesaid subjects in the said Society's library ;

WHEREAS the State Government has granted to the said Society free of cost a valuable site in Nrupathunga Road, Bangalore City and also financial assistance from time to time for construction of building, purchase of furniture and other purposes ;

WHEREAS the affairs of the said Society are not managed in its best interest and the objects of the Society have thereby suffered ;

WHEREAS it is necessary to provide for carrying on of the said objects and for this purpose dissolve the said Society and establish a Board ;

WHEREAS the Karnataka Legislative Assembly is not in session and only the Karnataka Legislative Council is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action in this behalf ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Karnataka is pleased to promulgate the following Ordinance, namely :—

1. Short title and commencement.—(1) This Ordinance may be called the Mythic Society (Dissolution and Management) Ordinance, 1975.

(2) It shall come into force at once.

2. Definitions.—In this Ordinance, unless the context otherwise requires,—

(a) 'appointed day' means the date of commencement of this Ordinance ;

(b) 'Board' means the Board of Management of the Mythic Society ;

(c) 'Chairman' means the Chairman of the Society ;

(d) 'Member' means a Member of the Society ;

(e) 'Secretary' means the Secretary of the Society ;

(f) 'Society' means the Mythic Society, Bangalore having its head office at Nrupathunga Road, Bangalore-2 deemed to be registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act 17 of 1960).

3. Establishment and incorporation of the Board.—

(1) With effect from such date as the State Government may, by notification in the official Gazette, appoint, there shall be established for the purposes of this Ordinance, a Board to be known as the Board of Management of Mythic Society.

(2) The Board shall be a body corporate, having perpetual succession and common seal with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of properties and to contract and may by that name sue or be sued.

(3) Notwithstanding anything contained in sub-section (2), the Board shall not, except with previous approval of the State Government, sell or otherwise dispose of any property belonging to it.

4. Constitution of the Board.—(1) The Board shall consist of not more than eleven members to be nominated by the State Government, of whom not less than three shall be persons possessing special knowledge in Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy or Religion.

(2) The State Government shall appoint one of the Members to be the Chairman of the Board.

(3) The Chairman shall with the previous approval of the State Government appoint a person to be the Secretary.

5. Resignation from office of a Member.—A Member of the Board may resign from office by giving notice to the State Government.

6. Term of office and casual vacancy.—(1) Every member shall hold office for a period of three years.

(2) A casual vacancy in the office of a Member shall be filled by fresh nomination by the State Government and the new Member so nominated shall hold office only for the remainder of the term for which the Member whose place he fills was nominated.

7. Powers of the Board.—The Board shall exercise the following powers and perform the following duties, namely :—

(a) to maintain and manage the Mythic Society, Bangalore with a view to promote the study of Anthropology, Archaeology, Architecture, Art, Ethnology, Folklore, History, Mythology, Philosophy, Religion and other allied subjects ;

(b) to provide for studies and research in the aforesaid ;

(c) to help in producing and publish books in order to facilitate the carrying out of the objects specified in clause (a) ;

(d) to receive gifts, donations or benefactions from Government and to receive bequests, donations and transfer of movable or immovable properties from trustees, donors or transferors, as the case may be ;

(e) to deal with any property belonging to or vested in the Board in such manner as the Board may deem fit for advancing the objects specified in clauses (a) to (d) ;

(f) to do all such things as may be necessary or incidental or conducive to the attainment of all or any of the objects specified in clauses (a) to (e).

8. Dissolution and transfer of property of the Society.—(1) As from the appointed day the Mythic Society, Bangalore, a Society deemed to be registered under the Karnataka Societies Registration Act, 1960 (Karnataka Act No. 17 of 1960) shall stand dissolved and all property, movable and immovable, and all rights, powers and privileges of the Society which immediately before the appointed day belong to or were vested in the said Society shall vest in the Board and shall be applied for the purposes for which the Board is constituted.

(2) As from the appointed day all debts and liabilities of the said Society shall stand transferred to the Board and thereafter be discharged and satisfied by the Board.

(3) Any will, deed or other document, whether made or executed before or after the commencement of this Ordinance, which contains any bequests, gifts, or trust in favour of the said Society shall as from the appointed day, be construed as if the Board were therein named instead of the said Society.

(4) Any person who on the appointed date has in his possession or custody or under his control any property and any document relating thereto which has vested in the Board shall be liable to account for such property or document to the Board and shall deliver it up to the Chairman or to any other person authorised by him.

(5) It shall be lawful for the Chairman or such person to take all necessary steps for securing possession of all the

properties and documents relating thereto which have vested in the Board.

9. Creation of the Board Fund.—The Board shall in accordance with the rules made by the State Government in this behalf, create and maintain a fund to be called the Mythic Society Fund into which all receipts and income of the Board shall be paid and out of which all expenses and disbursements of the Board shall be met. The said fund shall be operated by the Chairman or by such other person as he may authorise.

10. Powers of the State Government to give direction.—The State Government may give to the Board such direction as it deems fit and necessary and the Board shall carry out those directions.

11. Board Budget.—(1) The Board shall frame a budget for every financial year and submit it to the State Government for approval.

(2) The State Government may approve with or without modifications.

12. Power to supersede the Board.—(1) If the State Government is of the opinion that the Board is unable to perform, or has persistently made default in the performance of the duties imposed on it by or under this Ordinance, or has exceeded or abused its powers, the State Government may, by notification in the official Gazette, supersede the Board for such period as may be specified in the notification :

Provided that before issuing a notification under this sub-section, the Board shall be given a reasonable opportunity to make its representation why it should not be superseded.

(2) Upon the publication of the notification under sub-section (1) superseding the Board,—

(a) all the members of the Board shall, as from the date of supersession vacate their offices as such members ;

(b) all the powers and duties which may, by or under the provisions of this Ordinance be exercised and performed by the Board, be exercised and performed by such person or persons as the State Government may direct ;
and

(c) all property vested in the Board shall, during the period of supersession vest in the State Government.

(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the State Government may—

(a) extend the period of supersession for such further term as it may consider necessary ; or

(b) reconstitute the Board in the manner provided in section 4.

13. Power to make rules.—The State Government may, by notification in the official Gazette, make rules to carry out the objects of this Ordinance.

14. Power of Board to make regulations.—The Board may, with the previous approval of the State Government, make regulations not inconsistent with the provisions of this Ordinance for all or any of the following purposes, namely :—

(a) the manner in which meetings of the Board shall be convened, the quorum for the transaction of any business thereat and the procedure at such meetings ;

(b) the manner in which the majority decision of the Board shall be obtained by circulation to the members of the matter requiring decision ;

(c) the appointment of such officers and servants as may be necessary for the purpose of carrying out the objects specified in section 7 and their terms and conditions of service.

MOHANLAL SUKHADIA,
Governor of Karnataka.

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,
*Draftsman and Ex-Officio Joint
Secretary to Government,
Department of Law and Parliamentary Affairs.*